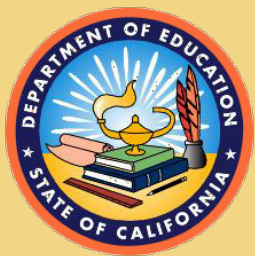




Equitable Services for Private School Students and Teachers

**California Association of Administrators
of State and Federal Education Programs
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ESEA Title IX, Part E, Subpart I: Uniform Provisions

- Federal mandate for Private School (PS) Consultation
- Equitable services for students, teachers, and other educational personnel of nonprofit PS including nonpublic nonsectarian private schools (NPS)



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AGENDA

- ESEA Title IX Uniform Provisions:
Private School Consultation Mandate
- Equitable Participation
- Timely and Meaningful Consultation
- Issues
- Resources



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Titles/Programs Included in Uniform Provisions*

- I B Reading First
- I B Even Start
- I C Migrant Education
- II A Teacher & Principal Training
- II B Math & Science Partnerships
- II D Enhancing Education through Technology
- III A English Language (EL) Acquisition
- IV A Safe & Drug-Free Schools
- IV B 21st Century Community Learning Centers (CCLC)

* I A, V A, V D use different guidance for PS consultation



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Required Consultation Content

LEAs should guide PS through ESEA decisions:

- How the children's needs will be identified
- What programs or services will be offered
- How, where, by whom programs/services will be provided
- Program/service assessment and improvement
- Scope of services and funding available
- Delivery of services



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What is Equitable Participation?

Programs and services for private school students and staff must be **comparable** to those received in public schools.

ESEA Title IX, Section 9501 (a) (4):

...Expenditures for services to private school students, teachers, and other... personnel shall be **equal to the expenditures** for the public school program, taking into account the educational needs of the children to be served...



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What is Equitable Participation?

- LEA consults with PS to assess, address, and evaluate needs of PS students and educators
 - No single offer of service
 - Third party providers may be needed
- LEA spends an equal amount of funds per student
- LEA provides equivalent opportunity to participate
- LEA offers services that are secular, neutral, and non-ideological
- Transparency is important!



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Services, Not Funds

A portion of funds in federal Titles I–V is generated by private school enrollments. These funds provide programs and services to private school students and eligible staff.

- **Private schools do not** receive funds.
- But **private school teachers can** be reimbursed for planned course work.



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Timely Consultation

- Consult during the design and development of the programs...**prior** to submitting grant applications
- Start early enough to allow PS services to begin when public school services do
- Follow a predictable rhythm of meetings and requested documents
- Allow time for groups of PS to follow their own collaborative decision-making processes



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Meaningful Consultation

LEAs...

- Contact eligible PS annually and establish a collaborative process
- Allow time for PS needs assessment, program design, and evaluation of results
- Set transparent, mutually agreeable final program costs, deadlines
- Assure balance between LEA control and meeting PS needs, (e.g., third party contracts)
- Cover required consultation content



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LEA Documentation

- Representatives of nonprofit PS were informed of the availability of services in a timely manner
- Needs of PS educators and/or students were identified
- PS officials were consulted and provided an opportunity for input into planning activities on a regular basis
- Funding was equitable to amount allocated for public school students, educators
- LEA met the needs of PS students, educators



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Consultation Particulars...

Carryover

- In general, if an LEA provided equitable services for PS students in the first year, any carryover funds would be considered **additional funds for that program in the subsequent year**. Those funds would be used, along with any other carryover funds, **for both public and PS students on an equitable basis**.

[ESEA Title IX Non-Regulatory Guidance, March 2009
(Question F-9)]



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More Particulars...

Requesting PS Documentation

- LEAs may ask PS officials to submit reasonable documentation in a timely manner to help identify appropriate services. Such documentation should be limited to a description of the student/educator needs and a brief description of the services desired to meet those needs; e.g., a needs assessment or student achievement data.
- Documentation \neq administrative barrier

[ESEA Title IX Non-Regulatory Guidance, March 2009
(Question D-10)]



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More Particulars...

- The LEA is responsible for initiating the consultation process.
[ESEA Title IX Non-Regulatory Guidance, March 2009 (Question D-1)]
- An offer of services by an LEA without an opportunity for timely and meaningful consultation does not meet the requirement of the law.
[ESEA Title IX Non-Regulatory Guidance, March 2009 (Question D-8)]
- The LEA must pay the costs for administering programs for PS students. Administrative costs are taken off the top of a program's total allocation **before** the LEA determines the allocation for services for PS students and teachers.
[ESEA Title IX Non-Regulatory Guidance, March 2009 (Question F-2, F-3)]
- The LEA may not require PS officials to complete purchase orders.
[ESEA Title IX Non-Regulatory Guidance, March 2009 (Question F-12)]



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Resources

- California Guidance Document Covering All Federal Titles
<http://www.cde.ca.gov/sp/ps/cd/guidance.asp>
 - Federal Non-Regulatory Guidance, Title IX Uniform Provisions*
<http://www2.ed.gov/policy/elsec/guid/equitableserguidance.doc>
 - Federal Office of Non-Public Education Web link for all federal guidance (with links to each title)
<http://www2.ed.gov/about/offices/list/oii/nonpublic/nclbinfo.html>
- * Note Section J Resources, including sample Consultation Timeline, Meeting Agendas, Needs Assessment and Program Development Plan, Intent to Participate Form, Checklist for Private School Officials, etc.



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CDE Resources

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